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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/519,221	03/06/2000	Chaitanya Kanojia	2657.2001005	7967

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EXAMINER

NEURAUTER, GEORGE C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 12/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/519,221

Applicant(s)

KANOJIA ET AL.

Examiner

George C Neurauter

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Radziewicz et al. [US Patent 5 854 897 A].

Regarding claim 1, Radziewicz discloses a message router system for a server system that communicates with embedded devices over a data network, the router system comprising:

a router that transfers messages to the embedded devices on the data network when the embedded devices are accepting messages and a message store that temporarily stores messages addressed to embedded devices until the embedded devices can accept messages [column 6, lines 33-64].

Claim 8 is rejected under 35 USC 102(b) since claim 8 contains the same limitations as recited in claim 1.

Regarding claim 2, Radziewicz discloses a message router system as recited in Claim 1, further comprising a system manager that tracks states of embedded devices on the data network and whether the embedded devices are able to receive messages [column 11, lines 30-67].

Art Unit: 2143

Claim 9 is rejected under 35 USC 102(b) since claim 9 contains the same limitations as recited in claim 2.

Regarding claim 3, Radziewicz discloses a message router system as recited in Claim 2, further comprising a queue manager for facilitating the transfer of messages between the message router and a process [column 8, lines 15-44].

Claim 10 is rejected under 35 USC 102(b) since claim 10 contains the same limitations as recited in claim 3.

Regarding claim 4, Radziewicz discloses a message router system as recited in Claim 1, wherein the router retrieves messages from the message store when a system manager indicates that an embedded device to which the messages are addressed is able to accept the messages [column 11, lines 30-67].

Claim 11 is rejected under 35 USC 102(b) since claim 11 contains the same limitations as recited in claim 4.

Regarding claim 5, Radziewicz discloses a message router system as recited in Claim 1, further comprising a bulk data transfer manager for transferring larger data files between the server system and the embedded devices [column 12, lines 23-column 13, line 5].

Claim 12 is rejected under 35 USC 102(b) since claim 12 contains the same limitations as recited in claim 5.

Regarding claim 6, Radziewicz discloses a message router system as recited in Claim 5, wherein larger data files are transferred to the embedded devices by the router sending the embedded devices a message to download a file and a location of the file, the embedded devices

Art Unit: 2143

contacting the bulk data transfer manager to obtain the file [column 12, lines 23-column 13, line 5, specifically column 12, lines 26-39].

Claim 13 is rejected under 35 USC 102(b) since claim 13 contains the same limitations as recited in claim 6.

Regarding claim 7, Radziewicz discloses a message router system as recited in Claim 6, wherein the embedded devices directly contact the bulk data transfer manager to obtain the file without sending a message via the router [column 12, lines 23-column 13, line 5, specifically column 12, lines 31-39].

Claim 14 is rejected under 35 USC 102(b) since claim 14 contains the same limitations as recited in claim 7.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6 338 094 B1 to Scott et al;

US Patent 6 430 564 B1 to Judge et al;

US Patent 5 940 074 A to Britt, Jr. et al;

US Patent 5 583 563 A to Wanderscheid et al;

US Patent 6 185 607 B1 to Lo et al;

US Patent 6 112 246 A to Horbal et al;

US Patent 6 463 468 B1 to Buch et al;

US Patent 5 841 468 A to Wright.

Application/Control Number: 09/519,221
Art Unit: 2143

Page 5

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C Neurauter whose telephone number is 703-305-4565. The examiner can normally be reached on Mon-Fri 9am-5:30pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

gcn
December 8, 2002


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100